



ATTORNEY'S DOCKET NUMBER: 2006691-0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brisson, *et al.* Examiner: Not yet assigned  
Serial No.: 10/561,053 Art Unit: 1632  
Filing Date: December 16, 2005 Conf. No: 9433  
Title: PLANT TRANSCRIPTIONAL ACTIVATOR AND USES  
THEREOF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Certificate of Mailing**

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 15, 2006  
Date

Mary Harrington

Typed or Printed Name of person signing certificate

TRANSMITTAL LETTER

Enclosed for filing in the above-referenced patent application, please find the following documents:

1. Submission to Correct Small Entity Status (1 pg);
2. Credit Card Payment Form in the amount of **\$1245.00** (to return erroneous credit from PTO) (1 pg);
3. Request for Corrected Filing Receipt (2 pp);
4. Copy of the original Filing Receipt with the change marked in red (2 pp); and
5. Return-Receipt Postcard.

Please charge any additional fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully Submitted,  
CHOATE, HALL & STEWART LLP

Charles E. Lyon, D. Phil.  
Reg. No. 56,630

Date: December 15, 2006

PATENT DEPARTMENT  
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Two International Place  
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U.S.S.N: 10/561,053  
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DAC/SPW

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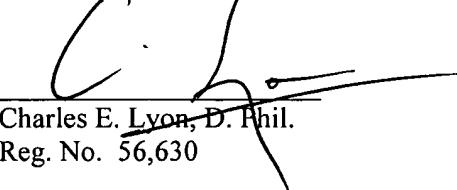
**SUBMISSION TO CORRECT SMALL ENTITY STATUS UNDER 37 C.F.R. 1.28(c)**

Applicants respectfully submit this paper to correct the inadvertent establishment at the time of filing of small entity status for the above-referenced application. Applicants respectfully request that any error in establishing small entity status be excused in accordance with 37 C.F.R. 1.28(c).

Small entity status was accidentally indicated in good faith on the 371 transmittal (PTO 1390) with the filing of this application while large entity fees were paid. Applicant later received a credit from the PTO in the amount of \$1,245.00 presumably because small entity status had been inadvertently noted on the 371 transmittal. Applicant is including herewith a credit card payment returning the \$1,245.00 to the PTO. Large entity fees have been paid for all other filings associated with this application.

Although we believe that we have now appropriately paid all fees due in connection with this submission, the Commissioner is authorized to charge any additional fees associated with this application, to our Deposit Account No. 03-1721. Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 248-4793.

Respectfully Submitted,  
CHOATE, HALL & STEWART LLP

  
Charles E. Lyon, D. Phil.  
Reg. No. 56,630

Date: December 15, 2006

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